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10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 Thomas Kim,  
13 Plaintiff,  
14 v.  
15 United States of America,  
16 Defendant.  
17

Case No. 2:16-cv-778-APG-CWH

**MOTION FOR EXTENSION OF TIME  
TO REPLY TO PLAINTIFF'S  
RESPONSE TO MOTION TO DISMISS  
(Second Request)**

18 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant respectfully  
19 requests that the Court extend by 14 days the time within which Defendant must reply to  
20 Plaintiff's response to Defendant's Motion to Dismiss. This is Defendant's second request  
21 for additional time to reply.

22 In support of this motion, Defendant relies upon the following:

- 23 1. Federal Rule of Civil Procedure 6(b)(1)(A) permits a party to extend a deadline  
24 prior to its expiration upon a showing of "good cause".
- 25 2. Plaintiff's response to the pending motion to dismiss was filed on October 18,  
26 2016, making the reply due on October 25, 2016. The Court granted Defendant's  
27 Motion for Extension of Time to Reply (Doc. 24), extending the deadline until  
28 November 24, 2016.

3. Due to preparation for an upcoming trial, other case commitments, and other required travel and absences from the office, counsel for Defendant will not have sufficient time to reply to Plaintiff's response.
4. Counsel for Plaintiff agrees to this extension of time.
5. This extension is requested in good faith and not for purposes of delay.


Respectfully submitted this 23<sup>rd</sup> day of November, 2016.

JOHN S. LEONARDO  
United States Attorney  
District of Arizona

*s/ Katherine V. Foss*  
KATHERINE V. FOSS  
J. COLE HERNANDEZ  
Special Attorneys to the Attorney General

**IT IS SO ORDERED:**

**Defendant's motion for extension of time to reply to Plaintiff's Opposition to Defendant's Motion to Dismiss (Doc. 22) is hereby granted. Defendant's reply shall be due on or before December 8, 2016.**



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UNITED STATES DISTRICT JUDGE  
Dated: November 28, 2016.